

# STATE OF NEW YORK

1438--A

Cal. No. 102

2025-2026 Regular Sessions

## IN SENATE

January 9, 2025

Introduced by Sens. KRUEGER, BRISPORT, BROUK, FERNANDEZ, GONZALEZ, HARCKHAM, HINCHEY, HOYLMAN-SIGAL, JACKSON, LIU, MAYER, SALAZAR, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee and committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, in relation to enacting the New York state abortion clinical training program act

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new article  
2 25-AA to read as follows:

3 ARTICLE 25-AA

4 NEW YORK STATE ABORTION CLINICAL TRAINING PROGRAM ACT

5 Section 2599-bb-10. Policy and purpose.

6 2599-bb-11. Definitions.

7 2599-bb-12. Establishment of the New York state abortion clinical training program.

8 2599-bb-13. Reporting.

9  
10 § 2599-bb-10. Policy and purpose. 1. New York has long held that  
11 comprehensive reproductive health care is a fundamental component of  
12 every individual's health, privacy and equality, and that access to  
13 reproductive health care services is integral to their ability to choose  
14 to carry a pregnancy to term, to give birth to a child, or to have an  
15 abortion.

16 2. Abortion care is provided in hospitals, clinics, and private  
17 medical practices across the state, with a majority of this care deliv-  
18 ered by community-based providers. However, growing maternal health care

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 deserts have made it difficult for individuals to access this vital form  
2 of care. The need for abortion care continues to increase while the  
3 number of providers trained to perform these services is declining.  
4 Although there are community-based abortion facilities in every region  
5 of the state, only seven out of ten regions have community-based facili-  
6 ties that perform abortion care beyond fifteen weeks of pregnancy. In  
7 three regions, only two facilities provide abortion care up to twenty  
8 weeks of pregnancy. This has resulted in pregnant people having to trav-  
9 el further, and in some cases out of state, to access care, especially  
10 later in pregnancy.

11 3. While any physician and health care practitioner licensed by the  
12 state with abortion in their scope of practice is authorized to provide  
13 this care under law, there is no structured training program available  
14 to them for this purpose.

15 4. New York is in a strong position to address the training needs of  
16 these individuals by establishing a statewide abortion clinical training  
17 program. There are multiple abortion providers who are experienced,  
18 utilize innovative abortion care procedures, and interested in training  
19 their peers but require funding to do so.

20 5. It is the purpose of this article to create new training opportu-  
21 nities for New York health care practitioners in the delivery of  
22 abortion care through such a program, thereby protecting every individ-  
23 ual's right to health, privacy and equality.

24 § 2599-bb-11. Definitions. As used in this article, the following  
25 terms shall have the following meanings:

26 1. "Abortion" shall mean the termination of a pregnancy pursuant to  
27 section twenty-five hundred ninety-nine-bb of this chapter.

28 2. "Health care services" shall mean the range of care related to the  
29 provision of abortion pursuant to section twenty-five hundred ninety-  
30 nine-bb of this chapter.

31 3. "Health care practitioner" shall mean any health care practitioner  
32 authorized to provide health care services pursuant to section twenty-  
33 five hundred ninety-nine-bb of this chapter or an intern or resident who  
34 is employed by a hospital or otherwise enrolled in an accredited gradu-  
35 ate medical education program.

36 4. "Professional educators" shall mean organizations providing repro-  
37 ductive health care, continuing education programs for qualified provid-  
38 ers through professional associations or clinical education programs  
39 that meet professionally recognized training standards.

40 § 2599-bb-12. Establishment of the New York state abortion clinical  
41 training program. 1. (a) There is hereby established within the depart-  
42 ment the New York state abortion clinical training program for the  
43 purpose of training health care practitioners in the performance of  
44 abortion and related reproductive health care services. The commissioner  
45 in consultation with the state education department, shall adopt a  
46 comprehensive curriculum and competency based-standards for the training  
47 of health care practitioners in the performance of a full range of  
48 abortion and related reproductive health care services. Such curriculum  
49 and standards shall be consistent with evidence-based training methods  
50 and shall include, but not be limited to:

51 (i) counseling and informed consent;

52 (ii) miscarriage management;

53 (iii) patient-centered care;

54 (iv) pre-abortion evaluation;

55 (v) contraception and aftercare;

56 (vi) telehealth delivery;

1 (vii) procedural abortion;  
2 (viii) medication abortion; and  
3 (ix) potential complications and required care.

4 (b) The commissioner shall update the adopted curriculum and standards  
5 at least every five years.

6 (c) The commissioner shall consult a range of experts, including, but  
7 not limited to, individuals and entities providing abortion care,  
8 abortion funds, and other organizations whose mission is to expand  
9 access to abortion care, to ensure the program structure reflects the  
10 needs of abortion providers, abortion funds and consumers in developing  
11 the initial curriculum and standards and all subsequent updates.

12 (d) For professional educators currently operating an abortion clin-  
13 ical training program within the state and selected by the department to  
14 facilitate training through the program, the commissioner shall approve  
15 the existing curriculum for use in the New York state abortion clinical  
16 training program so long as the curriculum meets adopted statewide stan-  
17 dards.

18 3. (a) The commissioner is authorized to enter into agreements with  
19 professional educators to facilitate clinical training related to  
20 abortion care and other related reproductive health services at a mini-  
21 mum of four sites across the state. In entering such agreements, the  
22 commissioner shall consider organizations that:

23 (i) comply with applicable state laws and regulations;

24 (ii) are capable of providing culturally congruent care and implicit  
25 bias training;

26 (iii) have demonstrated experience in coordinating abortion care  
27 training programs; and

28 (iv) have sufficient patient volume to accommodate training need.

29 (b) Professional educators shall not be required to provide training  
30 in all areas of the approved curriculum, provided, however, special  
31 consideration shall be given to professional educators who have the  
32 capability to provide the full range of abortion care and related repro-  
33 ductive health care services.

34 (c) The commissioner may engage the services of a consultant on a  
35 contract basis to support the administration and operation of the  
36 program. Such consultant shall be a professional educator that has the  
37 demonstrated ability to provide programmatic oversight on a statewide  
38 level including, but not limited to candidate selection and screening,  
39 and adherence to the approved curriculum and clinical standards.

40 (d) Each professional educator receiving funding pursuant to this  
41 paragraph shall submit a written certification in such form and at such  
42 time as the commissioner shall prescribe, attesting how any award made  
43 was used to support training health care practitioners in the perform-  
44 ance of abortion and related reproductive health care services includ-  
45 ing, but not limited to the number of health care practitioners selected  
46 for training; the number of health care practitioners completing the  
47 training; and the areas of the state served by the health care practi-  
48 tioners selected.

49 (e) Notwithstanding any inconsistent provision of law to the contrary,  
50 the commissioner shall be authorized to recoup any award made and deter-  
51 mined to have been used in a manner inconsistent with the purposes of  
52 the abortion clinical training program. The commissioner is authorized  
53 to employ any legal mechanism to recoup such funds, including an offset  
54 of other funds that are owed to such professional educator.

1 4. The commissioner shall prioritize eligible health care practition-  
2 ers who will provide abortion and related reproductive health care  
3 services to underserved communities in the state to receive training.

4 5. The commissioner shall award and distribute grants to address prac-  
5 tical support needs of eligible health care providers. Funds may be  
6 awarded to support an eligible health care practitioner in obtaining  
7 clinical education on abortion care and other reproductive health  
8 services, including, but not limited to, financial support for travel  
9 and lodging associated with attending the program.

10 6. The commissioner shall promulgate rules and regulations as are  
11 necessary to carry out the provisions of this section.

12 7. Nothing in this article shall be construed to limit or restrict  
13 abortion training that occurs within New York state separate and apart  
14 from the New York state abortion clinical training program.

15 § 2599-bb-13. Reporting. The commissioner shall submit a report no  
16 later than twelve months after the effective date of this section and  
17 annually thereafter, to the governor, the temporary president of the  
18 senate and the speaker of the assembly, which shall include, but not be  
19 limited to, the total amount of grants issued, the number of eligible  
20 participants, the number of eligible providers, and the region of the  
21 state where the eligible providers are located. Notwithstanding any  
22 other provision of law, the commissioner shall not report any identify-  
23 ing information of eligible participants in the program.

24 § 2. This act shall take effect on the first of April next succeeding  
25 the date upon which it shall have become a law. Effective immediately,  
26 the addition, amendment and/or repeal of any rule or regulation neces-  
27 sary for the implementation of this act on its effective date are  
28 authorized to be made and completed on or before such effective date.